



STATE OF WASHINGTON

STATE BUILDING CODE COUNCIL

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MINUTES MECHANICAL, VENTILATION AND ENERGY CODES COMMITTEE

Date: May 6, 2009

Location: SeaTac City Council Chambers, SeaTac

MVE Committee Members Present: Peter DeVries, Chair; Mari Hamasaki, Vice Chair; Kristyn Clayton; Jerry Mueller; Dale Wentworth

Other Council Members Present: John Cochran, Angie Homola, Tom Kinsman, Jon Napier

MVE Committee Members Absent: Don Jordan

Visitors Present: Bob Eugene, John Hogan, Gary Schenk, Kraig Stevenson, Brian Minnich, Paul O'Connor

Staff Present: Tim Nogler, Krista Braaksma, Joanne McCaughan

CALL TO ORDER

Peter DeVries, Chair of the Mechanical, Ventilation and Energy Codes Committee, called the meeting to order at 1 p.m. Peter welcomed everyone, including a special welcome to Joanne McCaughan, who recently joined Council staff. Introductions were made.

REVIEW AND APPROVE AGENDA

The agenda was reviewed and approved as written.

TAG REPORTS

Mechanical/Ventilation Codes TAG

2009 Code Change Proposals to the International Mechanical Code

Mari Hamasaki referred to the matrix of 2009 proposed code changes to the 2009 International Mechanical Code. Mari said AS in the matrix means the TAG approved those proposals “as submitted, without modification” and recommended moving them into rulemaking to receive public testimony in September. The TAG recommended approval of AM proposals with modifications by the TAG, moving those proposals forward to rulemaking and public hearing. Modified language is included in the matrix package.

Proposal #09-176, submitted by Lee Kranz, amends Section 202 of the IMC, changing the definition of “environmental air.” The TAG recommended approving this proposal AS and forwarding it to rulemaking and public hearing.

The second proposal, #09-196, was submitted by John Williams. It amends Section 306.5, relating to equipment on roofs and roof access. The TAG recommended approving this proposal AM, substituting “permanent” for “fixed” and changing some measurements.

The third proposal, #09-207, was sponsored by Maureen Traxler to amend Sections 401 and 404 of the IMC. This proposal deals with the scope of the ventilation provisions in the Ventilation and Indoor Air Quality Code. Mari said this proposal will be discussed when proposals to the VIAQ are discussed.

The next proposal, #09-249, sponsored by Scott Rushing, amends Section 403.8 of the IMC. It deals with moving whole house ventilation provisions to the IMC. This proposal will also be discussed with VIAQ proposals.

The recommendation for #09-250, submitted by Scott Rushing to deal with exhaust outlets in Section 501, was AM. The TAG added language about the parking garage and the elevator machinery room, as outlined on page 3 and 4 of the matrix packet.

Proposal #09-251, was submitted by Shane Reimer to amend Section 504.6.1, relating to dryer duct length. The TAG recommended approval of this proposal AM, as shown on page 4: “The maximum length of the duct may be increased in an engineered exhaust system when a listed and labeled exhaust booster fan is installed in accordance with the manufacturer’s installation instructions.”

Nathan Miller submitted Proposal #09-252, amending kitchen range hood provisions in Section 505. The TAG recommended moving this proposal forward AS.

Shane Reimer proposed #09-253, also relating to kitchen range hoods. The TAG recommended approving this proposal as follows: “Listed and labeled exhaust booster fans ~~may be utilized~~ shall be permitted when installed in accordance with the manufacturer’s installation instructions.”

Proposal #09-254 was submitted by Erik Olzon, amending Section 506.3.10, relating to grease duct cleanouts. The TAG recommended forwarding this proposal AM, modified as shown on page 5 of the matrix packet.

Maureen Traxler proposed #09-208, amending Section 601.2, regarding air in corridors. The TAG recommended moving this proposal forward AS.

Eric VanderMey proposed #09-255, amending Section 603.5.1, regarding gypsum ducts. The TAG recommended forwarding this AM, modifying the exceptions as outlined on page 5 of the matrix packet.

The last proposal amending the IMC, #09-256, was submitted by Eric VanderMey to amend provisions for common supply and return ducts in Section 606.2.2. This proposal was recommended to move forward AS.

Angie Homola asked if Proposal #09-251, states a maximum length. Mari answered that length varies, depending upon the manufacturer's recommendation. Angie asked, assuming the booster fan fails, if the dryer still works. Mari said she assumes the booster fan has an interlock on the system, whereby if it's not working, the dryer also doesn't work.

Motion #1:

Mari Hamasaki moved that the Mechanical, Ventilation and Energy Codes Committee accept the recommendations of the Mechanical/Ventilation Codes TAG for 2009 code change proposals. Jerry Mueller seconded the motion.

Angie asked for clarification that the motion moves those proposals recommended by the TAG to the Council. Tim Nogler confirmed that the motion is acceptance of the TAG's recommendations by the Committee, to move to the Council for a vote tomorrow by the full Council. He noted that voting on today's motion is restricted to Committee members. The Committee level is an interim step between TAGs and the Council. Receiving an affirmative vote at the Council level tomorrow moves proposals to public hearing, before the Council decides whether or not to adopt them.

Angie asked to receive confirmation before tomorrow's meeting that booster fans have an interlock on the system, shutting the dryer off when they fail. Tim suggested tabling #09-251 and sending it back to the Mechanical Code TAG. All of the other proposals that the TAG recommends moving forward can be accepted by the MVE Committee and moved on to the Council.

Mari changed the motion to not include Proposal #09-251. Jerry Mueller seconded the amended motion.

Angie asked if any of the proposals were controversial. Mari answered no. She said modifications were clarifying. Krista said the most controversial was probably #09-255. Mari

agreed. Angie asked if that proposal conforms with Department of Health regulations. Mari answered yes, as modified by the TAG.

The question was called for. The motion was unanimously adopted.

2009 Code Change Proposals to the Ventilation and Indoor Air Quality Code

Mari said the TAG is still exploring the integration of the VIAQ into the IMC. The TAG decided to recommend tabling Proposal #09-249, pending further work.

Krista Braaksma said both that proposal and #09-215 were tabled by the TAG. She said direction is needed from the Council about how to define “residential,” whether similar to the International codes, with IRC buildings and other residential, or the historical definition of less than four stories.

Kristyn Clayton said the definition of “residential” needs to be determined also for work of the Energy Code TAG, because that definition affects multiple energy code change proposals. She said she will ask the Council tomorrow to align the definition of high-rise residential to the International codes.

John Cochran asked if Kristyn said “high-rise residential?” Kristyn said while it affects all residential, it’s moving high-rise residential into more of a commercial building.

John Hogan said the VIAQ has a four story division for its definition of “residential.” What the Energy Code TAG will ask the Council tomorrow is to base it on the IRC definition for multi-family.

Mari said Proposal #09-249 adds a high-rise section to the IMC. In addition, Proposal #09-215 also changes the IMC to apply to all residential.

Kristyn asked if #09-257 has any bearing on the question of eliminating the VIAQ. Krista said the TAG basically chose between two options, #257 that fully integrates everything versus maintaining separate VIAQ and IMC codes. Mari said the TAG recommends moving Proposal #09-257 forward AS.

Kristyn asked if proposal #09-257 was controversial. Mari said it represents TAG work done over the past year. Krista said #09-257 would ultimately have to be amended to include other code change proposals recommended by the Mechanical/Ventilation Codes TAG.

Mari referred everyone to the back page of the matrix of 2009 IMC code change proposals. She said the first VIAQ proposal is #09-249, proposed by Scott Rushing to amend Sections 302 and 303, moving the whole house ventilation provisions of the VIAQ into the IMC. As stated earlier, this proposal was tabled until the Council directs the TAG how to define “residential.”

The TAG recommendation for proposal #09-220, submitted by Gary Nordeen to amend compliance calculations in Section 302.1.1, was AS.

Proposal #09-219, also authored by Gary Nordeen, amends 302.1.2 for alternate compliance. This proposal was recommended AM. The amended language, basically wordsmithing, appears on page 7 of the matrix packet.

Proposal #09-218 is also submitted by Gary Nordeen, amending source specific ventilation requirements in Section 302.2. This proposal was recommended AS.

Gary Nordeen proposed #09-217, amending whole house systems in Section 302.3.1. The TAG recommended this proposal advance AM. Changes proposed by the TAG are outlined on page 6 of the matrix packet. Mari noted that Gary Nordeen is a Mechanical/Ventilation Codes TAG member. He was present at TAG meeting at which TAG modifications were made.

Log #09-216, submitted by Gary Nordeen to change fan noise regulations in Section 302.3.3, was recommended be advanced AS.

Another proposal by Gary Nordeen, #09-235, amends Section 302.3.5.6 relating to heat recovery ventilation (HRV) systems. The TAG recommended this proposal advance AM, as shown on page 7 of the matrix packet.

Kristyn asked for a brief description of #09-235. Mari said TAG changes deal with minimum filter ratings for HRV systems.

Proposal #09-214, submitted by Gary Nordeen to amend Section 303.4.1.5, relating to outdoor air inlets, was recommended to advance AS.

Proposal #09-236, amending integrated whole house systems in Section 303.4.2.1 was recommended by the TAG to advance AM. Page 7 of the matrix packet shows TAG amendments adding that air flow should be measured.

The next proposal, #09-213, amends Section 303.4.2.2 relating to ventilation controls. The TAG proposed this recommendation move forward AS.

Proposal #09-212, amending HRV systems in Section 303.4.4.1, was recommended AM, as shown on page 7. Kristyn asked if any manufacturers were at the TAG meeting when this proposal and #235 were heard by the TAG. Mari said Don Stevens, representing manufacturers on the Mechanical/Ventilation Codes TAG, was aware of changes. Besides being a TAG member, Don's involved in ASHRAE. Krista said historically this provision has been in the code since it was written and has never worked. She said she gets phone calls on it all the time. Gary rewrote the provision based on current technology.

Maureen Traxler proposed #09-207, amending Sections 301 and 304 relating to scope of ventilation provisions. This proposal was recommended move forward AS.

Proposal #09-237, amending ventilation rates in Table 3-2, was recommended AS.
Proposal #09-189, submitted by Maureen Traxler to amend radon provision scope in Section 501.1, was recommended AS.

The last VIAQ proposal, #09-257, amending the IMC, IBC and IRC to integrate the VIAQ into the International codes, was recommended move forward AS.

Angie expressed concerns that #09-236 would have a large impact on current practices. She asked if the TAG discussed how this may affect current building practices and costs. Mari suggested the proposal be sent back to TAG for further discussion.

Motion #2:

Mari Hamasaki moved the Mechanical, Ventilation and Energy Codes Committee accept the code change proposals amending the Ventilation and Indoor Air Quality Code that the Mechanical/Ventilation Codes TAG recommends moving forward to rulemaking and public hearing. Proposal #09-236 is the exception; that proposal is remanded back to the Mechanical/Ventilation Codes TAG for further study. Jerry Mueller seconded the motion. The motion received unanimous adoption.

Existing International Mechanical Code Amendments

Mari called attention to the packet entitled “2009 IMC Code Amendment Review Worksheet” that reviews existing amendments.

Mari said there are 13 existing amendments. The first one deals with Section 101.2, regarding NFPA 54 and 58. The TAG’s recommendation is to retain this existing amendment and update it to the most recent editions of those standards.

Existing Amendment #2 is to Section 202, relating to “unusually tight” buildings constructed under the Washington State Energy Code (WSEC). The TAG recommends retaining the definition of “unusually tight,” even though the 2009 code removes that definition.

Existing Amendment #3 to Section 401.4.2 of the 2006 IMC is recommended to be deleted. It’s no longer needed because text is moved to Chapter 5 of the 2009 IMC.

For Existing Amendment #4, the TAG recommends retaining the modified version of the state amendment.

Existing Amendment #5 relates to Section 403.2.1 in both the 2006 and 2009 codes. The TAG recommends retaining this existing amendment.

Existing Amendment #6 amends Section 403.3, regarding the ventilation rates. The TAG recommends retaining this amendment, modified to reflect new 2009 language.

Existing Amendment #7, amending Section 501.2, exhaust discharge, is recommended to be retained.

Existing Amendment #8 to Section 501.2.1, dealing with the location of exhaust outlets, is recommended to be retained in a modified version to coordinate with the 2009 language.

Deletion is recommended for Existing Amendment #9 to Section 504.6.3., relating to dryer duct protection. The 2009 IMC includes that amendment.

Deletion is also recommended for Existing Amendment #10 to Section 506.6.3.1, relating to grease duct testing, as that was also included in the 2009 edition..

For Existing Amendment#11, to Section 601.2, air movement in egress elements, the TAG recommends modifying this amendment to coordinate with 2009 IMC language.

Existing Amendment #12, modifying Sections 1003-1011 for boilers and pressure vessels, was tabled by the TAG until it meets with the Department of Labor and Industries. Krista said the TAG has heard from L&I but is waiting to hear from Lee Kranz, the City of Bellevue's building official, for clarification of his concerns.

Finally, retention was recommended for Existing Amendment #13, modifying Section 101.2 relating to scope. This amendment correlates with the International Fuel Gas Code.

Motion #3:

Kristyn moved the Mechanical, Ventilation and Energy Codes Committee accept the recommendations of the Mechanical/Ventilation Codes TAG for existing amendments and forward those recommendations to the Council. Mari Hamasaki seconded the motion. The motion was unanimously adopted.

Mechanical/Ventilation Codes TAG Membership

Krista said there are two appointments to be made to the Mechanical/Ventilation Codes TAG. Erik VanderMey will fill the vacant mechanical engineers seat. Meg Haley has been proposed as an alternate representing WABO. Both Erik and Meg have been attending TAG meetings. Peter verified their TAG appointments.

Energy Code TAG

Kristyn said because energy code proposals this year are so sweeping, the process for reviewing them prior to developing Energy Code TAG recommendations differs from the process just gone through for Mechanical/Ventilations Codes TAG code change proposals.

Energy Code TAG progress to date includes reviewing one-quarter to one-third of the proposals. Review has been restricted to residential proposals at this time. Proposals have been organized into Loop 1 and Loop 2. Loop 1 proposals are presently being reviewed. They consist of very large changes, philosophical changes or changes that impact other proposals. Lighting proposals are almost finished, and review of commercial proposals will soon begin.

Glazing is one large issue that's been addressed by the TAG. That issue, as it's always been, represents a "hot button" for small window manufacturers, wood windows, custom windows.

Of the third proposals reviewed by the TAG to date, about one-third have been tabled.

Loop 2 probably won't begin until after July.

John Hogan added that he feels the Council needs to review and act on all 172 energy code change proposals.

Kristyn said the plan is to deliver the Loop 1 package of energy code change proposals to the Council in July. Then the TAG moves on to Loop 2 and hopefully delivers those proposals to the Council in October. In addition to Loop 1 and Loop 2 proposals, there is a third potential package of IECC alignment proposals the Council may direct the Energy Code TAG to work.

In total, Kristyn said the above represents at least one and one-half years of work. She said if the TAG gets direction to work a parallel path with the IECC, many proposals will be amendments to that code. For that reason, it's not useful to discard any proposals without thorough consideration and bringing them to the Council.

The bottom line is that it takes time. Many of the proposals are controversial in nature, requiring lengthy TAG discussion and debate.

Tim added there is a directive from the Governor's Office and the Climate Action Team to improve the 2006 WSEC by 30 percent. He said most people are aware that the TAG's been asked to work toward that significant improvement. Kristyn said her understanding is that a letter is forthcoming to provide that direction in writing.

Tim said SB 5854 passed this session and is expected to soon be signed by the Governor. This bill directs the Council to work with the Energy Policy Division to convene a strategic committee and address energy conservation measures by 2030. Tom asked if the Governor's 30 percent directive is independent of that legislation. Tim answered that it's complimentary. He said signing of the legislation and the correspondence soon to be received from the Governor's Office will explain the intent of how SB 5854 correlates with the Climate Action Team's directive.

Kristyn said the TAG currently is addressing the Governor's suggestion, based on the work of the Climate Action Team, to achieve 30 percent stringency above the 2006 WSEC.

Another question to which Kristyn wants Council direction tomorrow is how to handle green proposals. While not energy conservation proposals, she said green proposals are important. Clarification might have come from ASHRAE, had its Standard 189 finalized, but the third round of review comments has just started.

Mari asked for an example of a green proposal. Kristyn cited the dark sky initiative, dealing with the type of lighting fixtures that can be used outside. It basically says there will be no light shining up. Debate surrounds whether such proposals save energy. Another green proposal Kristyn recalls is plumbing flow rates, proposed by John Hogan.

Tim said the TAG recommended disapproval of the dark sky initiative, Proposal #162. Kristyn agreed, saying she believes it was disapproved because the TAG felt it isn't an energy conservation issue. She would like Council direction about how to handle such proposals.

Peter said the dark sky initiative appears to be a light pollution issue rather than an energy issue. He suggested including green proposals in an addendum. John Cochran said he believes much of the dark sky initiative is outside of buildings. Thus it's really a zoning issue. Kristyn agreed. Tim noted that roadways and public rights-of-way are outside the scope of the Council's authority.

Kristyn encouraged everyone to read and understand SB 5854. She noted two important elements of that legislation are requiring the Council to reconsider the IECC and increasing the stringency of the energy code by 70 percent by the year 2030.

Peter asked the future direction of the Energy Code TAG. Kristyn answered that the TAG will continue to review the 172 code change proposals to the WSEC because of the 30 percent increase directed by the Governor. To Peter's question when the IECC will be considered by the TAG, Kristyn answered after review of the 172 proposals.

Kristyn thinks it's crucial to consider all 172 proposals. They drastically change the WSEC, and many will, at the outset, be proposed amendments to the IECC. Peter asked for confirmation that the TAG is presently traveling down a single path rather than a dual path. Kristyn answered the TAG is on a single path.

Peter asked if Kristyn has a recommendation for the Council tomorrow. Kristyn said, based on her background, a quick jump, changing the base energy code from the WSEC to the IECC, is very difficult. However, when people who use the code every day, such as architects and building officials, start thinking it's a good idea to jump, then the TAG has to seriously consider it.

Peter anticipated a vote at tomorrow's meeting, whether or not to change the base energy code. Kristyn agreed, saying it would have been at the last meeting save for lack of a quorum. She said she reads SB 5854 to essentially call for redoing what was done four and one-half years ago, comparing the WSEC to the IECC line by line, noting conflicts and stringency differences. But she noted that process can't begin until all 172 energy code proposals have been reviewed.

Kristyn said the Council heard testimony that during the past few years there have been good stringency increases at the International Code level. She said the 2006 WSEC probably is no longer 20-30 percent better than the IECC. After adoption of code change proposals recommended by the Energy Code TAG this year, the gap between the two codes will probably widen again. Kristyn noted that a parallel path is going on at the federal level, increasing the stringency of the IECC at the same time. It's still a pretty new code, and it's not life, safety, health.

Tom Kinsman asked if the Council will vote tomorrow whether to proceed with the 172 code change proposals to the WSEC or to move to the IECC. Kristyn said she believes the vote will

be to adopt the IECC as the base code starting at a future date certain. She said a third party would likely have to be hired to integrate current WSEC requirements into the IECC before doing the 172 proposals. Peter expects tomorrow's discussion to be very interesting.

Jon Napier asked if there's been a bench mark established for energy savings of the WSEC versus the 2009 edition of the IECC. Kristyn answered there are different bench marks from different sources. The TAG tried to look at a consensus of that. PNNL is presently doing comparisons, including the WSEC, for the U.S. Department of Energy. Information from that study, which is a modeling effort, is expected to be available by the end of June.

Angie said she doesn't understand, assuming the Council adopts the 2009 IECC tomorrow, why the 172 code change proposals to the WSEC would continue to be reviewed. Her second question is if the Council has time to amend the 2009 IECC, again assuming its adoption tomorrow, to make it comparable to the WSEC. Kristyn answered no, there is not enough time. That's why she believes tomorrow's motion will be for a future enactment of the IECC.

Angie said she shares Kristyn's concern about green proposals. She said the City of Oak Harbor recently adopted a new lighting ordinance that permits lighted signs on Highway 20, a scenic highway corridor. Angie spoke in favor of a state standard providing oversight of such actions.

Kristyn said the third thing she is looking for is suggestions on how to package the 172 code change proposals for presenting them to the Council in July, so they're organized in a workable fashion. She emphasized that these proposals are really critical to many manufacturers, particularly small business manufacturers. The breadth of the proposals is sweeping. They touch on almost every issue in the WSEC.

Kristyn said for the Council to vote in July or later in the year as an informed body, much technical digging, understanding and discussion needs to occur on these proposals. It will require a concentrated effort and lots of homework on everyone's part. The Council needs to be able to claim due diligence under the law, because Kristyn expects litigation may occur as a result of some of the proposals adversely impacting some small businesses. It's important that the Council feel knowledgeable about, and comfortable voting for, the energy code change proposals. The final Council vote needs to be thoughtful and informed, reflecting each constituent group.

Peter noted that the Council vote tomorrow will dictate the work of the Energy Code TAG for at least the next year. Kristyn agreed. She said it would be a minimum of a year.

Tim said he believes it will be necessary for the Council to meet in July, potentially for a two-day meeting, similar to this two-day meeting and what's scheduled for June. Meeting in July is necessary to meet the August 5 deadline for filing proposed rules. Tim also suggested that the Mechanical, Ventilation and Energy Codes Committee may wish to make a recommendation to the Council about energy code adoption. Doing so might ease the way for a Council vote tomorrow. Kristyn agreed. She said she would like three recommendations from the Council:

1. Residential redefinition.
2. How to handle green proposals.
3. A discussion about moving the IECC forward.

Kristyn said the bottom line for her about the WSEC and IECC is the vetting and voting process. The process is handled in a radically different way, national versus state. At the national level, issues are vetted in an open forum before everyone. Then a committee of professionals in the industry votes on them, giving an informal yes/no. Issues may then come back for modification. When issues are voted on, there's one to four minutes of discussion before a vote by the IECC voting body. Kristyn said it's difficult to get things through the national process.

Peter asked Kristyn who could best brief the Council tomorrow if she isn't able to call in. Kristyn answered that probably Krista or Tim would be best, since they've both attended all meetings. While Don Jordan is co-chair of the TAG, he hasn't attended all meetings. Tim said Don will chair the next Energy Code TAG meeting. He also noted that Tien Peng has attended about half of the TAG meetings. Kristyn added that John Hogan will attend the Council meeting tomorrow, to answer questions and address issues.

Kristyn said the national process is not as flexible as the state in increasing the stringency of the IECC. She asked what happens if the Council votes to move to the IECC and then its stringency lags because it's not under the 2030 initiative like the WSEC. That is the bottom line to Kristyn. What can the state of Washington do then? Kristyn would like to adopt the IECC with the clear understanding that if stringency lags significantly behind what's called for in the 2030 initiative, Washington State can easily move back to the WSEC without creating a whole new energy code.

Angie asked Kristyn when a decision has to be made. Kristyn answered that a decision has to be made now in order to meet anything close to 2012. Angie asked if amendments to the WSEC will be simultaneously considered. Tim said generally the TAG is aware of how the 172 proposals relate to both the WSEC and IECC. In addition to the WSEC and IECC, there is also ASHRAE 90.1, which is the commercial energy code baseline. Moving base codes results in major reformatting of all chapters, tables, numbering systems.

Angie asked, assuming IECC adoption, if state control is lost. Kristyn answered yes. She said an element of control is lost when new things are introduced at the national level. John Cochran said that negative is balanced by the positive of increased consistency with a complete family of International Codes. Kristyn agreed.

Tom Kinsman said the group of people who adopts the WSEC every year at the state level is virtually the same. It's difficult for industry to be involved in the process. On the national level, by comparison, the process is much more open and less controlled by a small group. While agreeing, Kristyn noted the energy code is **extremely** technical. She said many people who've been in the industry for 10-20 years don't have the knowledge of the Energy Code TAG.

Angie asked if the IECC can be amended to meet Washington's stringency requirements. Kristyn said that research was done four years ago. At that time, the outcome was 147 amendments were needed to make the IECC comparable to the WSEC's stringency and to match

different philosophies, such as climate zones and energy modeling techniques. In order to meet a deadline for 2012 adoption, Kristyn said the 147 amendments to the IECC would have to be worked after the 172 code change proposals to the WSEC.

Kristyn said some IECC and IRC energy provisions are more stringent than the WSEC. On the other hand, other provisions are less stringent. If Washington State adopts the IECC for both commercial and residential, stringency will be lost. That's a violation of Washington statute. Amendments to the IECC will have to be made. But the amendment process is very lengthy. It took nine months to compare the 2006 WSEC with the proposed IECC 2006 edition four years ago to compile 147 amendments. During those nine months, the TAG didn't wordsmith. It simply labeled provisions as comparable or not and noted what was needed to achieve comparability.

Brian Minnich questioned whether adopting the IECC would truly be a stringency violation because statute only sets a baseline for original creation of the WSEC. Tim said there is no restriction in statute for the Council to adopt or not adopt the model code. However it requires that the state maintain the level of energy efficiency that is presently in effect in the state of Washington. Amendments to the IECC are necessary to meet that requirement.

Dale spoke in favor of staying with the WSEC until 2012 and, at that time, consider moving to the IECC.

Motion #4:

Dale Wentworth moved that the Mechanical, Ventilation and Energy Codes Committee recommend that the Council stay with amending the 2006 WSEC until 2012, at which time it will consider moving to the International Energy Conservation Code. Also included in the motion was a recommendation to not muddy the waters of energy code consideration with the question of green proposals. Jerry Mueller seconded the motion.

Mari asked if the IECC will be worked on from 2009 to 2012. Kristyn answered no, not unless the Council votes tomorrow to set a date for adopting the IECC as the baseline. In that case, transitioning will begin.

The question was called for. The motion received a tie vote, 2 aye to 2 nay. The Chair broke the tie by voting nay. Therefore the motion failed.

Lacking another motion, Peter said the Mechanical, Ventilation and Energy Codes Committee will ask the Council a philosophical question about future direction with regard to the energy code.

STAFF REPORT

Tim said the Building, Fire and Plumbing Codes Committee is scheduled to begin in two minutes.

ADJOURNMENT

Chairman DeVries adjourned the meeting at 3 p.m.